

February 27, 2012

The Common Council met as the Water Utility Board at 7:00 pm on the above date in the Meeting Room at City Hall Annex with Mayor Tucker presiding and Members Shelton, Fuelling, Hoehn, Curtis and Higgins attending. Others attending were Supt. Gray, Supt. Givens, Chief Dixon, Chief Beloit, Comm. Maynard, Attorney Higgins, Larry Williams, Ed Adams, Tom Hogan, Ann Fischer, David Mastison, Charlie Reese, Robbie Wilson, Ryan Riggs, Ryan Harms, Matt Johnson, Brittaney Johnson, John Gerton, Johanna Denning- Community Foundation, Shelia Stewart and Sara Manifold – Mt. Vernon Democrat.

Mayor Tucker called the meeting to order by stating members were either mailed or hand carried copies of the minutes of their previous meeting and by asking if there were any corrections or additions. He added if not, he entertains a motion to waive the reading and to approve the minutes as presented.

Board Member Higgins moved the reading of the minutes be waived and they be approved as presented.

Seconded by Member Shelton.

Mayor Tucker asked if there was any discussion.

There was none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

Mayor Tucker requested action on the claims presented.

Board Member Fuelling moved the claims presented be allowed for payment.

Seconded by Board Member Curtis.

Mayor Tucker asked if there were any discussion?

There were none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

\*\*\*\*\*CLAIMS\*\*\*\*\*

Mayor Tucker stated they will now hear from Water Chairman Curtis. Water Chairman Curtis stated he had nothing to report but Water Supt. Gray had some things to bring before the board.

Supt. Gray stated they are still having issues with the telemetry system. He stated he believes the problem is that they are still working off an analog system and not digital. Supt. Gray stated in 3 days they have had 42 pages of alarm interference. He stated he would like permission to purchase a mission digital equipment from Thermal Systems that would take advantage of the cell phone network

for \$5,003.00/ including installation with \$48.00/month to maintain. He stated the problem they are having now is that their system is the same as Owensboro Fire and Rescue and Nashville Fire and Rescue and their runs are interfering with them.

Board Member Curtis asked if this comes with a service agreement? Supt. Gray stated yes a yearly agreement. Board Member Curtis asked if Supt. Gray has talked to anyone who uses this system. Supt. Gray stated he believes that Supt. Givens is familiar. Supt. Givens approaches the board and stated he has talked to other plants with the system and it seems to work pretty good and easy to maintain. He stated he hasn't used it but they are having the same problem as the Water. He stated he actually has one that he got 6 months ago for him to take a look at. Supt. Givens stated he thinks it is well worth the money.

Board Member Curtis asked if Supt. Gray has talked to them about a pilot program.

Supt. Gray stated they could try it to see how it works out. He stated they could wait a little longer and do the pilot program.

Board Member Fuelling stated he thinks this sounds like a good idea we have to solve this problem.

Supt. Gray stated the next item he wanted to discuss with the board quotes on some tools he would like to purchase. The first tool is a 4 inch pump trailer mounted dry prime pump. This is a pump that they used in downtown Nashville with the flood.

- Heartland 23,545
- Underground Pipe and Valve 40,918
- J & J Supply Boonville 24,622

Supt. Gray stated he would like permission to purchase. Board Member Hoehn asked if he has looked at lease/purchase at Wayne's? Supt. Gray stated no but he can look into the lease/purchase option.

Member Hoehn asked how many hours does he think he is going to put on this. Supt. Gray stated it depends on how busy their leak season is. He stated the problem is you can't rent one in the middle of the night. Board Member Hoehn stated he was talking about a lease purchase option. Supt. Gray stated he can look into lease options if that is what the board wants.

Board Member Curtis stated that sounds fine that way we will have both figures to look at. He stated to get information and in two weeks they will make a decision. Board Member Curtis asked Supt. Gray if he has the money for this. Supt. Gray replied yes.

Supt. Gray stated the next tool he has a quote on is a 36 inch walk behind pavement saw. He stated his quotes on that were.

- J & J Supply Boonville 22,297
- Underground Pipe and Valve 29,745

Board Member Curtis stated that both of these items are substantial purchases and ask Supt. Gray how he felt about it. Supt. Gray stated that with that saw a 14 hrs problem he had a while back he could do with this saw in 1 hr. He stated they would use this year round and would be available for the street department.

Board Member Curtis makes motion for Supt. Gray be allowed to purchase 36 inch saw from J & J supply Boonville with the low bid of 22,297.

Seconded by Board Member Hoehn.

Mayor Tucker asked if there was any discussion.  
There was none.

Roll call vote was taken by Clerk-Treasurer Dike; Member Shelton yes, Member Fuelling yes, Member Hoehn yes, Member Curtis yes, Member Higgins yes.

Mayor Tucker reported the motion carried unanimously.

Board Member Hoehn made mention to the earlier 4 inch pump trailer mount dry prime pump. He asked if they have a pump available for power take off? He asked Supt. Gray if he has checked into an online company called Pump Biz? He stated they buy pumps from there. Supt. Gray stated he will check into it.

Supt. Gray stated the next quote he has is on a pneumatic pipe saw. He stated he got two quotes as follows:

- J & J Supply 4,772.00
- Underground Pipe and Valve 5,303.44

Supt. Gray stated you really need to make sure you are using the correct kind of tool. We had a problem 5 years with carbon monoxide in the hole.

Board Member Curtis makes motion for Supt. Gray to purchase saw.  
Seconded by Board Member Hoehn

Mayor Tucker asked if there was any discussion.

There was none.

Roll call vote was taken by Clerk-Treasurer Dike; Member Shelton yes, Member Fuelling yes, Member Hoehn yes, Member Curtis yes, Member Higgins yes.

Mayor Tucker reported the motion carried unanimously.

Supt. Gray told the board that he just wanted to let them know they now have possession of the Shephard building.

Mayor Tucker asked if anyone had any questions for Supt. Gray  
There were none.

Mayor Tucker asked if the Clerk-Treasurer had any communications for the Board.  
Clerk-Treasurer Dike replied not at this time.

Mayor Tucker stated they will now hear from Attorney Higgins on the Legals. Attorney Higgins stated they have received the performance addendum from JCI and tonight the bond ordinance is up for 2<sup>nd</sup> possibly 3<sup>rd</sup> reading. She stated as soon as the bond ordinance is passed we need to sign off on the addendum with JCI so they can move on the river intake, leak detection and the lamella bldg repair at a revised 7,352,727.00. Attorney Higgins stated they did get a new timeline, so when bond ordinance is approved the new closing on bond sale will be 3/29/12, closing on bond on 4/13/12. She stated we

will make down payment of \$752,000 which is 10% after close on bond. Attorney Higgins stated she would like utility board to approve the contract with those changes that include the commitment to only do those 3 projects at that rate, down payment on or about 4/13 with funds wired. She stated approval of that is subject to adoption of bond ordinance.

Board Member Curtis makes motion to accept contract to include only those three items river intake, leak detection and lamella bldg repair, and that we sign the agreement with those changes and time frame subject to adoption of the bond ordinance.

Seconded by Board Hoehn.

Mayor Tucker asked if there were any discussions?

There was none.

Roll Call vote was taken by Clerk-Treasurer Dike; Member Shelton yes, Member Fuelling yes, Member Hoehn yes, Member Curtis yes, Member Higgins yes.

Mayor Tucker reported the motion carried unanimously.

Mayor Tucker asked if anyone from the audience would like to present anything to the Utility Board. There was no response.

Mayor Tucker asked if there was any Old business.

There was no response.

Mayor Tucker asked if there was any New Business.

There was no response.

Mayor Tucker stated if there was no further business, He entertains a motion to adjourn.

Member Higgins moved the meeting be adjourned.

Seconded by Member Shelton.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously and adjourned the meeting.

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John Tucker  
Mayor

ATTEST:

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Denise Dike  
Clerk-Treasurer

The Common Council met immediately following Water Utility Board at 7:00 pm on the above date in the Meeting Room at City Hall Annex with Mayor Tucker presiding and Council Members Shelton, Fuelling, Hoehn, Curtis and Higgins attending. Others attending were Supt. Gray, Supt. Givens, Chief Dixon, Chief Beloit, Comm. Maynard, Attorney Higgins, Larry Williams, Ed Adams, Tom Hogan, Ann Fischer, David Mastison, Charlie Reese, Robbie Wilson, Ryan Riggs, Ryan Harms, Matt Johnson,

Brittaney Johnson, John Gerton, Joahanna Denning – Community Foundation, Shelia Stewart and Sara Manifold – Mt. Vernon Democrat.

Mayor Tucker called the meeting to order by stating members were either mailed or hand carried copies of the minutes of their previous meeting and by asking if there were any corrections or additions. He added if not he entertains a motion to waive their reading and to approve the minutes as presented.

Councilman Fuelling moved the reading of the minutes be waived and they be approved as presented. Seconded by Councilwoman Higgins.

Mayor Tucker asked if there was any discussion?

There were none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

Mayor Tucker stated they will now hear the reports of the Standing Committees.

**Street and Light Chairman Fuelling** stated he had no report.

Comm. Maynard stated he had no report.

**Police and Dog Chairman Shelton** stated she had no report.

Chief Beloit stated he had no report.

**Fire Chairman Higgins** stated she has no report.

Fire Chief Dixon stated he had no report.

**Sewer Chairman Hoehn** stated he has no report.

Supt. Givens stated he had no report.

Mayor Tucker asked if the Clerk-Treasurer had any Communications for the Council?  
Clerk-Treasurer Dike replied not at this time.

Mayor Tucker stated they are now ready for the Legal Portion of the agenda. Attorney Higgins stated that we have already had 1<sup>st</sup> reading on Bond Ordinance so we are now ready for 2<sup>nd</sup> reading. The final Version was emailed to you today with minor changes this has bonding up to 15.3 million. Attorney Higgins stated this included the financing of the Bans, and the phase 3 that we just talked about.

Councilman Hoehn made motion to approve 2<sup>nd</sup> Reading of Bond Ordinance Water Treatment Improvement project.

Seconded by Councilman Curtis.

Mayor Tucker asked if there was any discussion?

There was none.

Roll call vote was taken by Clerk-Treasurer Dike; Councilwoman Shelton yes, Councilman Fuelling yes, Councilman Hoehn yes, Councilman Curtis yes, Councilwoman Higgins yes.

Mayor Tucker reported the motion carried unanimously.

Councilman Curtis made motion to suspend the rules.

Seconded by Councilman Fuelling.

Mayor Tucker asked if there was any discussion?

There was none.

Roll call vote was taken by Clerk-Treasurer Dike: Councilwoman Shelton yes, Councilman Fuelling yes, Councilman Hoehn yes, Councilman Curtis yes, Councilwoman Higgins yes.

Mayor Tucker reported the motion carried unanimously.

Councilman Curtis made motion to approve 3<sup>rd</sup> reading of Bond Ordinance Water Treatment Improvement Project.

Seconded by Councilman Hoehn.

Mayor Tucker asked if there was any discussion?

There was none.

Roll call vote was taken by Clerk-Treasurer Dike; Councilwoman Shelton yes, Councilman Fuelling yes, Councilman Hoehn yes, Councilman Curtis yes, Councilwoman Higgins yes.

Mayor Tucker reported the motion carried unanimously.

Clerk-Treasurer Dike stated the ordinance is numbered 12-03 at 7:30pm.

Mayor Tucker stated Ed Adams is here to make a presentation to the Council regarding updates on Police/Fire Station.

Ed Adams stated he is here tonight to just discuss what has been going on with the police/fire station. He stated he has been working with Johanna Denning with the Posey County Community Foundation to set up an account in the police name and in the fire name. Ed stated he will now let Johanna Denning talk to the Council about what the Community Foundation can do for us.

Johanna Denning with the Community Foundation approached the Council to let them know she has set up 2 separate accounts one for police and one for fire. She said the two accounts were set up because one may be able to apply for a grant that the other may not. She stated working with the

Community Foundation will allow the City more advertising, web sites, PR for both, newsletters, face book page and fundraising.

Councilman Fuelling asked about points on possibly grants.

She stated the state has an agreement if you have a funds you get points and if you have money in those funds you get points too.

Ed Adams asked her if there was anything the City needs to do? Johanna stated fundraising events and the signing of the fund accounts. She stated it is going to be fun to see the community to participate in fundraising for the police and fire departments.

Ed Adams stated some of the fundraising they have been thinking of is the purchasing of old bricks from the building and having names carved into it. Councilwoman Higgins stated they have also thought about taking donations and then placing those individual's names in the sidewalks at the new location. Ed stated he would like to ask the Council to direct the City Attorney to start contacting the owners of the option sites. Councilwoman Higgins wants to thank those that are on the committee: Grant Beloit, Wes Dixon, John Gerton, Ed Adams, Sue Shelton and Rita Askren. She stated they came together in late November.

Councilman Fuelling asked if they have gotten with Economic Development Coalition of SW Indiana? Ed Adams stated they haven't gotten that far. He stated he was under the impression that they only have 1 round of grants this year for that and feels it might be too late in the game for that.

Attorney Higgins stated the Council will need to make a motion to authorize the Mayor to sign this fund agreement. She stated she wanted to let the Council all of these decision will come back to you.

Councilwoman Higgins stated she thinks we will be ready for an Executive Session in two weeks.

Attorney Higgins stated we need 48 hrs notification for Executive Session, may need to go ahead and notice it if we need it good if we don't we can cancel it.

Ed Adams stated the committee feels it is time to move forward and the next step is to contact the property owners.

Johanna Denning stated they have already had people contacting them wanting to make donations.

Councilman Curtis makes motion to allow City Attorney to contact the different sites that have been approved and to get that started.

Seconded by Councilwoman Shelton

Mayor Tucker asked if there was any discussion?

There was none.

Roll Call vote was taken by Clerk-Treasurer Dike: Councilwoman Shelton yes, Councilman Fuelling yes, Councilman Hoehn yes, Councilman Curtis yes, Councilwoman Higgins yes.

Mayor Tucker reported the motion carried unanimously.

Councilwoman Higgins makes motion to allow the Mayor to sign Fund Agreement with the Posey County Community Foundation and the Community Foundation Alliance for the Police and Fire. Seconded by Councilman Fuelling.

Mayor Tucker asked if there was any discussion?  
There was none.

Roll Call vote was taken by Clerk-Treasurer Dike: Councilwoman Shelton yes, Councilman Fuelling yes, Councilman Hoehn yes, Councilman Curtis yes, Councilwoman Higgins yes.

Mayor Tucker reported the motion carried unanimously.

Mayor Tucker stated that Shelia Stewart is in the audience tonight to talk to the Council. Shelia Stewart approached the Council and stated she has a few items she wanted to present to the Council.

Shelia first stated she wanted to mention that it is black history month and the old Booker T. Washington Building in town the school system has taken it over but she would like to see this building given back to the black community. She stated Tiny Waller was the last graduating class to come out of there.

She then stated she would like to start a program here in the City to help the youth and would like to see the City help with this. Shelia stated she sees more and more black youth in trouble, these kids need mentors to give them a second chance. She stated we have to get them back in school, some of them are using drugs, sitting in jail and using the system. Shelia stated a lot of kids in town don't have parents like we did. These parents aren't parents they are kids too. She stated she would like to start a program and would like everyone on board with it. She would like to see a YMCA and or Boys Club here so kids have options. Shelia stated these kids need help, and anyone who is interested can give her a call. She also went on to say she would like to see people help clean up our City. She has high school students who are willing to help pick up trash. She would like for the City to help us dispose of the trash. She stated she would love to see people help the elder or people who can't afford it to sign up. Shelia stated everyone should help you don't how good you feel after doing it.

Shelia stated the next item she wanted to discuss with the council is the house next to her house at 1214 Mulberry Street. She told the Council that back in 2009 the house was a drug/Meth house. She stated that the blue house next to her has been sitting empty since and that the siding has been flying off in the wind. She holds up a piece of siding in her hands. She stated she has kids in the house, animals in the house. She stated the siding has broken a couple of her windows, and she has ask the owners to help and no comment.

Councilman Hoehn asks who holds the deed to this house?  
Sheila Stewart stated Keester.

Sheila Stewart stated she has talked to them about fixing it up and they can't do anything they are poor. Sheila stated she has tried for 3 years to work within the system, and has talked to the EPA, National EPA, the Health Department and this Council. Sheila stated that since this was a meth house it either has to be fixed up or it has to be torn down. It can't be torn down without a clean bill of health. Shelia stated the health department told her the deed couldn't be transferred. She stated she was told the law was unenforceable. She stated this is a big problem all over town. Councilman Hoehn asked if the house has been condemned.



Councilman Fuelling stated that it would cost at least \$50,000 to get the dry wall down so people could move back into it. Sheila stated it would take 12,000 to 15,000 to take it down.

Sheila Stewart stated that raccoons, possums and cats are getting into house; she stated the yard is a mess. She stated it has to be taken down. She stated her sister asked her why the City can tear down the black church but what about the drug house? She stated the owners don't care, they had the meth lab in it. She is asking the City for help. She stated the EPA told her it is a local problem, and the health department won't help her. She stated she has to live next to this.

Shelia stated she was at a City meeting when they allowed the transfer of the deed from the Company, and her Councilman was there when it happened he knows.

Councilman Hoehn asked so the deed has been transferred?

Sheila Stewart stated yes from the Mortgage company to the Keesters, and by law they can't do that.

Councilman Hoehn stated this is going to be a City problem no matter how you cut this. He stated it is just a matter of how much liability to take on. He asked Attorney Higgins if the transfer of deed was legal.

Attorney Higgins stated she wasn't there when that happened.

Sheila Stewart stated they can't transfer deed, they can't sell it, they can't rent it, they can't house anyone in it. She stated it is up for tax sale now.

Councilman Hoehn stated but there is no way it can sell. He stated if EPA would sign off we could do anything to it we wanted, but it needs a clean bill of health.

Attorney Higgins stated if it had a clean bill of health we could go thru our normal process for dilapidated housing.

Shelia stated they had 5 pit bulls in that house and they used the bathroom in that house and that has been locked up in the house for 3 years.

She stated she believes this is a problem the City needs to address.

Shelia Stewart stated that Alan Topper didn't listen she said the transfer of deed couldn't be done and he did it anyway.

Councilman Hoehn stated he will take a look at this house tomorrow.

Shelia Stewart stated she just wants someone who will help her. She stated someone has to be responsible. Councilman Hoehn stated after 3 years maybe there is something unsafe as a building violation. Councilman Curtis stated the house is not worth the price to remediate.

Councilman Fuelling stated we need code enforcement to look at structure.

Councilman Hoehn stated Evansville has done this; we might call them and get code of actions. He stated he feels for Sheila and all the neighbors.

Attorney Higgins stated they need Building Comm., Sherry Willis, to look at this house and take pictures. Then we need for her to send a certified letter to the local health department as to what needs to be done to raze home in writing.

Mayor Tucker asked if there were any questions.

There were none.

Mayor Tucker asked if anyone else in the audience would like to approach the Council?

There was no response.

Mayor Tucker asked if there was any old business?  
There was no response.

Mayor Tucker asked if there was any new business? Councilwoman Higgins stated that she had an individual call her regarding Chestnut Street. She stated this is in the Peckinpaugh area. She stated this use to be 1 way street and it currently runs 2 ways. She stated the individual complained because of the used car lot, there has been an increase in traffic and he would like for the street to go back to one way headed north. Councilwoman Higgins asked Street Comm. Maynard if he would place a counter there. Street Comm. Maynard stated he would.

Anna Hyman approached the Council. She stated she lives at 424 Vine and stated she like having it a 2 way. She stated it is much nicer that way. She stated the car lot guy thinks he owns the area. Mrs. Hyman stated that he parks his cars there blocking traffic and then he also test drives the cars in the area fast. Councilwoman Higgins asked Police Chief Beloat to see if the car lot owner is blocking traffic in the area. Chief Beloat stated he would.  
Mayor Tucker asked if there were any questions.  
There were none.

Mayor Tucker stated they will now hear the reports of the Districts.

**1<sup>st</sup> District Councilwoman Shelton** stated she has no report.

**2<sup>nd</sup> District Councilman Fuelling** stated he has no report.

**3<sup>rd</sup> District Councilman Hoehn** stated he has no report.

**4<sup>th</sup> District Councilman Curtis** stated he has no report.

**Councilwoman-at-large Higgins** stated she has no report.

Mayor Tucker stated under Mayor's Announcement he wanted to mention that everyone has probably already heard but they got the tax credit/ private investors for the Landing. So it is now a reality. Mayor Tucker mentioned this is an 8 million project with apartments/condos and on the first floor it will be retail with a community area. He stated this should boost the downtown area, and add to the tax base. Mayor Tucker mentioned it will create construction, management and retail jobs. He stated that they have already taken lots of calls about the apartments and condo's and next Wednesday they have a meeting with a new retail business wanting to come to Mt. Vernon.

Mayor Tucker stated if there is no further business he entertains a motion to adjourn.

Councilman Curtis moved the meeting be adjourned.  
Seconded by Councilman Fuelling.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously and adjourned the meeting.

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John Tucker  
Mayor

ATTEST:

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Denise Dike  
Clerk-Treasurer